



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Katsutoshi Izumi et al

Group Art Unit: 2815

Serial No.: 10/699,832

Examiner: Bradley W. Baumeister

Filed: May 13, 2002

P.T.O. Confirmation No.: 5574

For: MONOCRYSTALLINE GALLIUM NITRIDE LOCALIZED SUBSTRATE  
AND MANUFACTURING METHOD THEREOF

**RESPONSE TO THE RESTRICTION REQUIREMENT  
AND ELECTION OF SPECIES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: November 22, 2004

Sir:

This is in response to the Office Action of September 22, 2004, requiring restriction between two alleged inventions under the provisions of 35 USC § 121.

In the Office Action, restriction was made between two patentably distinct inventions: **Group I** drawn to a GaN on Si substrate (claims 1-5 and 7-11); and **Group II** drawn to a method of making a GaN Si substrate (claim 6).

Applicants hereby provisionally elect **Group I**, that is, claims 1-5, and 7-11, for examination on the merits in this application. Applicants reserve the right to file one or more divisional applications directed to the subject matter of the non-elected claims.

In the Office Action, it was indicated that claims 1, 2, 5 and 9 were generic to a number of species of the invention as disclosed in the specification. It was therefore required that applicants that if **Group I** is elected, then applicant is required to elect one of the following two species for prosecution: **Species IA** drawn to a species of invention I wherein the mask is composed of SiN; and **Species IB** drawn to the species of invention I wherein the mask is composed of SiO<sub>x</sub>. Applicant was requested to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted in the event the generic claims were not found to be allowable. It was further required that applicants state the claims which read on the elected species.

Applicants hereby elect **Species IA** drawn to a species of invention I wherein the mask is composed of SiN for prosecution on the merits in the event the generic claims are not found to be allowable. From a review of the specification and claims, it would appear that **claims 1-3, 5, 7, 9 and 10** read on the elected species. Applicants reserve the right to file one or more divisional applications directed to the subject matter of the non-elected species.

Favorable consideration of the subject application is respectfully requested.

Serial No.: 10/699,832  
OA dated September 22, 2004  
Resp dated November 22, 2004

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this response.

Respectfully submitted,

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